

Statement of the Hong Kong Bar Association

Response to the US Congressional-Executive Commission Staff Research Report May 2023 calling for sanctions on Hong Kong Judges

The Hong Kong Bar Association notes with grave concerns that the captioned report urged the US Government to consider imposing sanctions on judges in Hong Kong.

This is the second instance where such a call has been made, the last occasion being a letter apparently sent by seven US congressmen to the President of the United States of America on 3 May 2022 urging the executive there to impose sanctions on National Security Law designated judges and prosecutors.

As the Bar made clear in its statement in response dated 12 May 2022, any attempts by anyone, anywhere, to interfere with the operation of Hong Kong's independent judiciary must be sternly deplored and condemned. Anyone who cherishes the rule of law and an independent judiciary cannot support sanctions on judges which effectively seeks to interfere with the exercise of their independent judicial power.

The Bar stresses once again that there is no basis at all to call into question the integrity and independence of Hong Kong judges, whose selection, appointment and discharge of their constitutional role and duties are, and must remain, free from any political considerations and interference. Such independence in appointment and operation are guaranteed in the Basic Law, under Articles 85 and 88.

The Bar hopes this statement serves to remind all that it is of fundamental importance to the rule of law in Hong Kong and indeed elsewhere that the judiciary, judges and judicial officers be allowed to operate and exercise their judicial power independently and free from any interference.

Dated 12 May 2023.

Hong Kong Bar Association